

Connect America Phase II Challenge Process Form  
OMB Control Number 3060-1188  
FCC Form 505

Filing Entity: Suwanee Creek Homeowners Association

FRN (if applicable):

Name of Person Filling Out Form: Jason Osborne

Mailing Address of Person Filling Out Form: 4068 Wyndam Hill Dr., Suwanee, GA 30024

Email Address of Person Filling Out Form: [jason@jasonosborne.com](mailto:jason@jasonosborne.com)

Phone Number of Person Filling Out Form: 404-849-2567

Name of Person Certifying Data within Form: Jason Osborne

Mailing Address of Person Certifying Data within Form: 4068 Wyndam Hill Dr., Suwanee, GA 30024

Email Address of Person Certifying Data within Form: [jason@jasonosborne.com](mailto:jason@jasonosborne.com)

Phone Number of Person Certifying Data within Form: 404-849-2567

Served to Unserved Challenge

Census Block 15 Digit FIPS Code	State	Provider Name As Listed in National Broadband Map	Insert X if Speed Criteria Not Met	Insert X if Usage Allowance Criteria Not Met	Insert X if Latency Criteria Not Met	Insert X if Price Criteria Not Met	Insert X if Voice Criteria Not Met	Type of Supporting Evidence	Additional Comments	OMB Control Number 3060-1188
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131350502131006	Georgia	Charter Communications Inc	X	X	X	X	X	Written statement of Suwanee Creek Homeowners Association Board of Directors member, Map of served and unserved lots, Sample Charter web page screen shots for served and unserved addresses, CAF Phase 2 initial eligibility map with street and census block overlay, Sample speedtest.net results for wireline Internet service with AT&T	Notice of challenge served to Charter Communications, Inc. by email on 8/10/2014	
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OMB Control Number 3060-1188

<b><u>Accuracy and Due Diligence Certification</u></b>
<i>All Filers Must Fill Out</i>
By initialing below, I certify that all statements contained in the attached form are true and accurate to the best of my knowledge, and that I have undertaken due diligence to obtain knowledge regarding these claims.
Certifier's Initials: JO
Date: August 10, 2014

<b><u>Notice of Challenge Certification</u></b>
<i>(Served to Unserved and Unserved to Served Challengers Fill Out One of the Following Blocks - Respondents Do Not Fill Out)</i>
<b>Service of Notice Successful</b>
By initialing below, I certify that notice of this challenge has been served on all interested parties.
Certifier's Initials: JO
Date: August 10, 2014
<b>Service of Notice Unsuccessful</b>
By initialing below I certify that, following a good faith effort, I was unable to serve notice of this challenge on all interested parties due to lack of information regarding the address of such parties.
Name of Party/Parties that Could Not Be Served:
Certifier's Initials:
Date:

The certifications on this page are subject to the penalties for false statements under 18 U.S.C. 1001.

4068 Wyndam Hill Drive  
Suwanee, GA 30024

August 10, 2014

Wireline Competition Bureau  
U.S. Federal Communications Commission

To whom it may concern,

On behalf of the Suwanee Creek Homeowners Association, I am filing this "Served to Unserved" challenge to the FCC per the Connect America Phase II challenge process in reference to census block 131350502131006 (henceforth referred to as CB 1006) for which Charter Communications, Inc. is designated as the only Carrier Coverage Provider according to the state-level broadband data files for Georgia. The basis of this challenge is that the majority of homes in the CB 1006, particularly those in Suwanee Creek HOA subdivisions, do not have access to broadband Internet service that meets the Bureau's broadband performance requirements. For years, AT&T and Charter Communications, the two wireline internet service providers that are licensed to serve this area have been unwilling to upgrade our neighborhoods to extend broadband Internet service to our homes and there is no competitive fixed wireless Internet service offering available. This has been an ongoing frustration and growing concern for homeowners in the Suwanee Creek HOA as it severely limits our Internet access options. Our hope is that filing this challenge with the FCC to change the status of the census block at issue from "Served" to "Unserved" would pave the way for possible future funding through the Connect America program to subsidize necessary upgrades required to extend broadband Internet service to our homes.

As evidence to support this challenge, I submit the following information.

- This written statement
- Figure 1. CAF Phase II initial eligibility map with street and CB 1006 overlay
- Figure 2. Map of served and unserved lots in CB 1006 of Charter service area
- Figure 3. Sample Charter web page for unserved addresses in CB 1006
- Figure 4. Sample Charter web page for served addresses in CB 1006 and surrounding areas
- Figure 5. Sample speedtest.net results for wireline Internet service with AT&T in CB 1006

According to the Wireline Competition Bureau [list of census blocks initially eligible for Phase II support](#), CB 1006 is not eligible. This is illustrated in Figure 1. CAF Phase II initial eligibility map with street and CB 1006 overlay which designates CB 1006 by color as Served and Below price cap  $\leq$  \$52.50. According to the [state level Coverage Data Files for Georgia](#), CB 1006 is served broadband Internet and voice service by Charter Communications, Inc. using DOCSIS 3.0 Cable Modem technology. However, this is only partially true because the majority of homes in CB 1006 are not served by Charter Communications, Inc. and do not have access to any other broadband Internet service that meets the Bureau's broadband performance requirements. Specifically, 262 out of 413 homes in this census block (63%) are unserved as illustrated in Figure 2. Map of served and unserved lots in CB 1006 of Charter service area. The "confirmed" data on this map was collected by checking availability of Charter services at specific addresses on [www.charter.com](http://www.charter.com). Entering a street address on this web site that is not served by Charter resulted in a negative confirmation page being presented as depicted in Figure 3. Entering a street address on this web site that is served by Charter resulted in a positive confirmation page being presented as depicted in Figure 4 that advertises available service offerings. While adding evidentiary

value, this exercise only confirmed what was already known by the majority of homeowners in the Suwanee Creek HOA, many of whom have attempted to request Charter service over the years without any success.

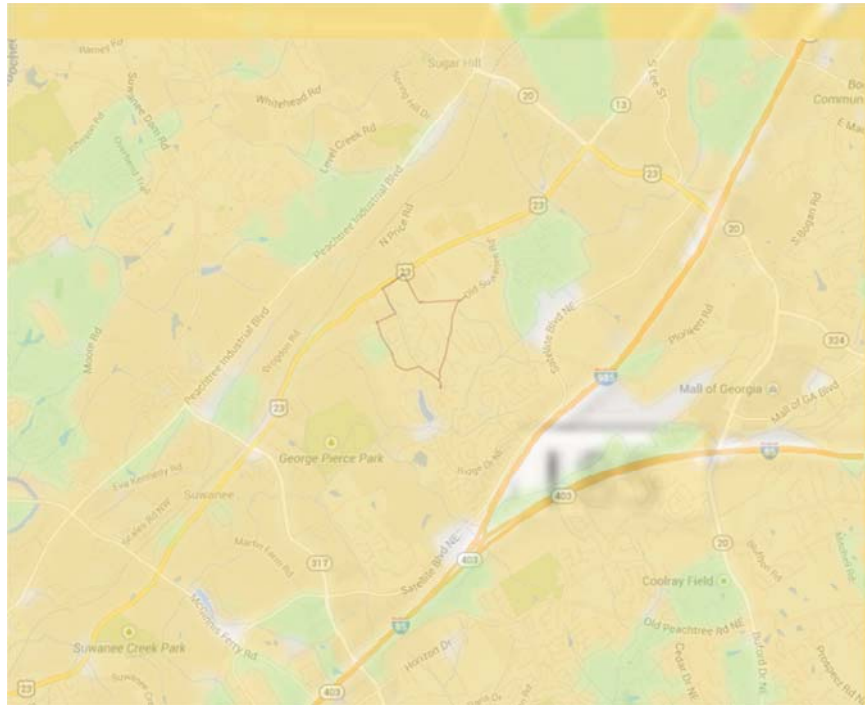


Figure 1. CAF Phase II initial eligibility map with street and CB 1006 overlay

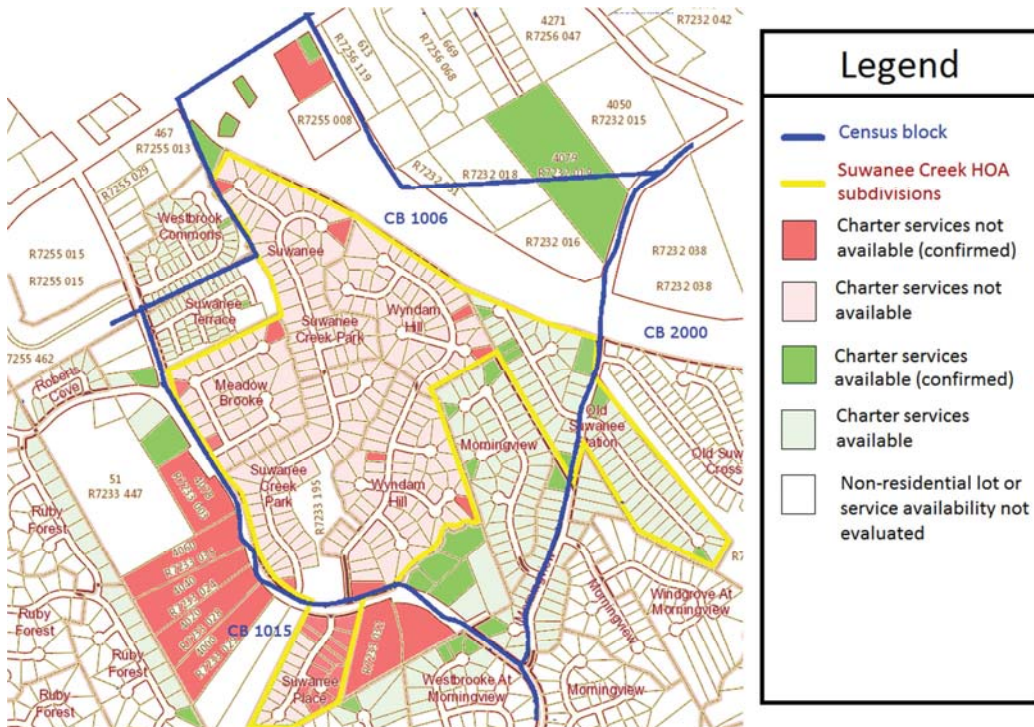


Figure 2. Map of served and unserved lots in CB 1006 of Charter service area

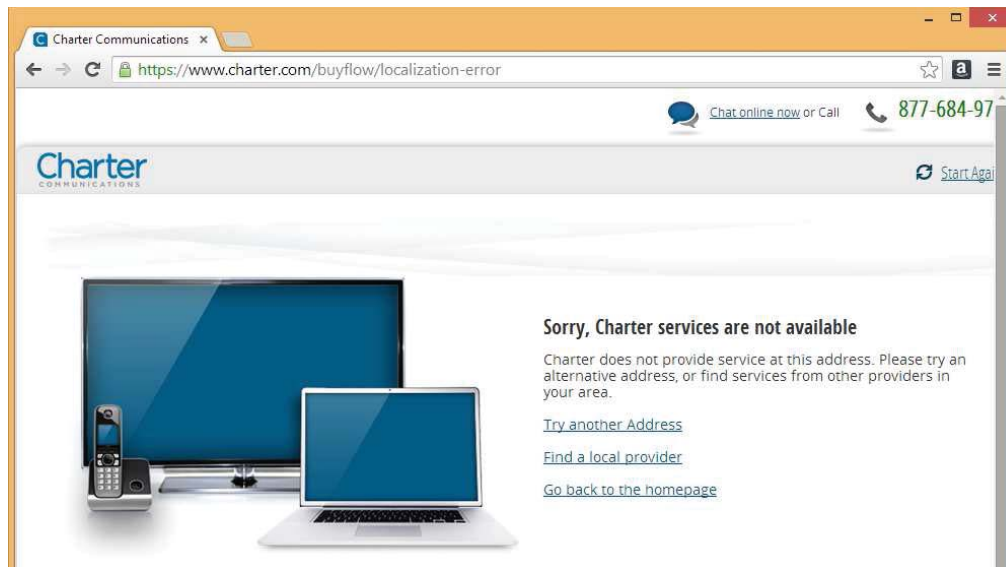


Figure 3. Sample Charter web page for unserved addresses in CB 1006

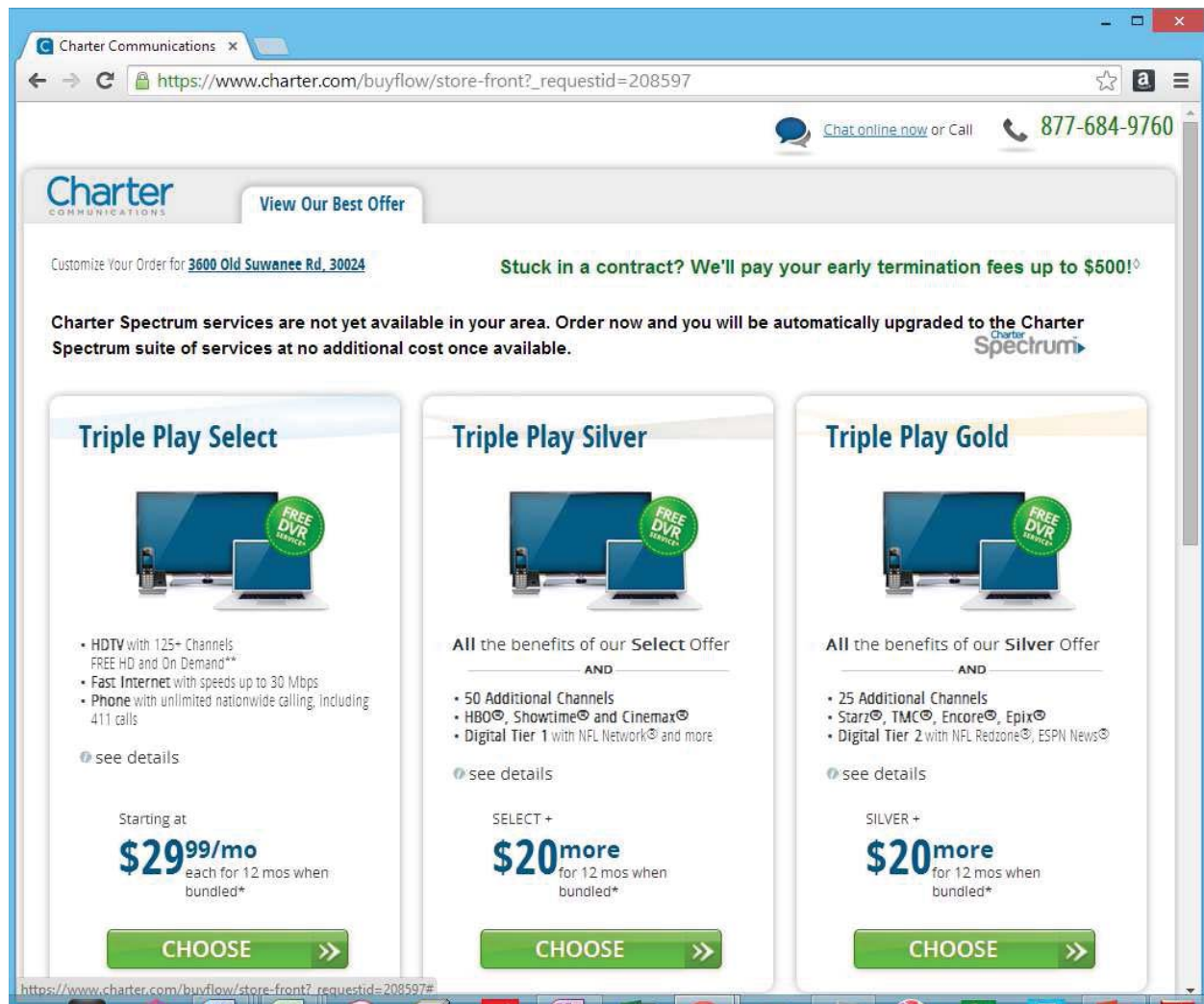


Figure 4. Sample Charter web page for served addresses in CB 1006 and surrounding areas



For the majority of Suwanee Creek HOA homes in CB 1006, the only available wireline Internet service is offered by AT&T using DSL over an outdated Integrated Fiber In the Loop (IFITL) technology that was originally installed by Bell South when the neighborhoods were originally constructed starting back in 2001. With the antiquated wireline technology in our neighborhoods, DSL service by AT&T is limited to < 2 Mbps download and 0.25 Mbps upload as reported by speedtest.net in Figure 5 which does not meet the FCC minimal standards for broadband Internet performance.



Figure 5. Sample speedtest.net results for wireline Internet service with AT&T in CB 1006

I am aware that the Connect America Phase II Challenge Process Guidelines state that the Bureau will not consider partial census block challenges, but I do hope that the Bureau will take exception in this case given that the far majority of homes in CB 1006 are unserved and the unlikelihood that our situation will improve without government assistance considering the years of inaction and resistance by Charter and AT&T to invest in upgrading our neighborhoods to extend competitive broadband Internet service to our homes. On behalf of the Suwanee Creek Homeowners Association and all of its members, I thank you for your consideration and look forward to hearing back from you.

Sincerely,

Jason Osborne

Member of the [Suwanee Creek Homeowners Association](#) Board of Directors

[jason@jasonosborne.com](mailto:jason@jasonosborne.com)